

STATE OF MONTANA
DEPARTMENT OF ENVIRONMENTAL QUALITY
Permitting and Compliance Division
Waste and Underground Tank Management Bureau
Motor Vehicle Recycling & Disposal Program
P.O. Box 200901, Helena, Montana 59620-0901
(406) 444-5300

December 1, 2004

Ladies and Gentlemen:

Pursuant to the Administrative Rules of Montana, 17.4.609, the following Environmental Assessment has been prepared by the Department of Environmental Quality concerning Daniel J. Allen and George S Allen /dba / as a motor vehicle wrecking facility.

The purpose of the Environmental Assessment is to inform all interested governmental agencies, public groups or individuals of the proposed action and to determine whether or not the action may have a significant effect on the human environment. This Environmental Assessment will be circulated for a period of thirty **(30) days** at which time a decision will be made as to our future action.

If you care to comment on this proposed action, please do so within the allotted time.

Sincerely,

Bruce W. Meyer
Motor Vehicle Recycling & Disposal Program
(406) 444-2835 or e-mail at brmeyer@state.mt.us

DEPARTMENT OF ENVIRONMENTAL QUALITY
P.O. Box 200901, Helena, Montana 59620-0901
(406) 444-4400

ENVIRONMENTAL ASSESSMENT (EA)

Division/Bureau: Permitting & Compliance \ Motor Vehicle Recycling and Disposal Program

Project or Application: Daniel J. Allen III and George S. Allen, Billings, MT - A proposed private auto wrecking facility.

Description of Project: Daniel J. Allen III and George S. Allen have submitted a motor vehicle wrecking facility license application to this department for review. The proposed motor vehicle wrecking facility will be in Yellowstone County. This facility will be located at 43 Orchard Lane, Billings, MT. The legal description of the facility is N126' of S192' LT 4 In NE Section 9, Township 1 South, Range 26 East. The facility is approximately 1.91 acres in size.

Benefits and Purpose of Proposal: Daniel J. Allen III and George S. Allen are proposing to establish a motor vehicle wrecking facility at 43 Orchard Lane, Billings, MT. As required by the Motor Vehicle Recycling and Disposal Act, all wrecking facilities must be shielded from public view. "Public view" is defined as any point six (6) feet above the surface of the center of a public road from which the junk vehicles can be seen. By obtaining a motor vehicle wrecking facility license, Daniel J. Allen III and George S. Allen would be allowed to: (1) Buy, sell, or deal in four or more vehicles per year of a type required to be licensed, for the purpose of wrecking, dismantling, disassembling, or substantially altering the form of the motor vehicle, (2) Buy or sell component parts, in whole or in part, and deal in second-hand junk vehicles, and (3) Purchase wrecked vehicles from insurance companies. Insurance companies are required by state law to sell junk vehicles only to licensed motor vehicle wrecking facilities. This business would provide a commercial source of automotive parts which would provide a cost saving to the consumer and would conserve energy and natural resources otherwise used to manufacture new parts.

Description and analysis of reasonable alternatives whenever alternatives are reasonably available and prudent to consider:

Alternative #1. Not to establish and license a facility at this location. This would limit public access to used automotive parts.

Alternative #2. To establish and license a facility at a location other than the one proposed in the license application. This would require the applicant to find and acquire by purchase or lease a different parcel of property for the proposed usage.

Alternative #3. To establish and license a facility at the proposed location.

A listing and appropriate evaluation of mitigation, stipulations and other controls enforceable by the agency or another government agency: Automotive fluids must be drained from the vehicles prior to the vehicle being placed in storage. All fluids removed from the vehicles must be captured over an impermeable surface, properly containerized, and properly stored for reuse, recycling, or proper disposal. This is a management method intended to alleviate the potential for groundwater contamination. This is a license condition enforceable by the agency.

CFCs (Freon) must not be released to the environment. This is a federally enforceable requirement and is enforced by the U.S. EPA.

Recommendation: N/A

If an EIS is needed, and if appropriate, explain the reasons for preparing the EA: N/A

If an EIS is not required, explain why the EA is an appropriate level of analysis: Based on the information submitted for review with the license application, it is the preliminary determination of the department that an Environmental Assessment (EA) will provide an adequate review for this proposal.

Other groups or agencies contacted or which may have overlapping jurisdiction: Yellowstone County Commissioners.

Individuals or groups contributing to this EA: Montana Department of Natural Resources and Conservation; United States Department of Agriculture, Natural Resource Conservation Service; Montana Historical Society, and State Historic Preservation Office.

EA prepared by Bruce W. Meyer

Date: December 1, 2004

POTENTIAL IMPACT ON PHYSICAL ENVIRONMENT

	Maj	Mod	Min	None	Unkn	Att
1. Terrestrial and Aquatic Life and Habitat			xxx			xxx
2. Water Quality, Quantity, and Distribution			xxx			xxx
3. Geology and Soil Quality, Stability and Moisture			xxx			xxx
4. Vegetation Cover, Quantity and Quality			xxx			xxx
5. Aesthetics				xxx		xxx
6. Air Quality				xxx		
7. Unique, Endangered, Fragile or Limited Environmental Resources				xxx		
8. Demands on Environmental Resources of Water, Air, and Energy				xxx		
9. Historical and Archaeological Sites				xxx		xxx

*Maj = Major; Mod = Moderate; Min = Minor; Unkn = Unknown; Att = Attached

CUMULATIVE AND SECONDARY IMPACTS: The impacts listed as minor in the table above will be minor to none, because of the intended management practices.

POTENTIAL IMPACT ON HUMAN ENVIRONMENT

	Maj	Mod	Min	None	Unkn	Att
1. Social Structure and Mores				xxx		
2. Cultural Uniqueness and Diversity				xxx		
3. Local and State Tax Base and Tax Revenue			xxx			xxx
4. Agricultural or Industrial Production				xxx		
5. Human Health				xxx		
6. Access to and Quality of Recreational and Wilderness Activities				xxx		
7. Quantity and Distribution of Employment			xxx			xxx
8. Distribution of Population				xxx		
9. Demands for Government Services			xxx			xxx
10. Industrial and Commercial Activities				xxx		
11. Locally Adopted Environmental Plans and Goals				xxx		xxx

*Maj = Major; Mod = Moderate; Min = Minor; Unkn = Unknown; Att = Attached

CUMULATIVE AND SECONDARY IMPACTS: The impacts will be minor for local and state tax base and tax revenue due to the size of the facility. The quantity and distribution of employment will be minor to none because of the number employed. The demands for government services will be minor to none and will be covered by county staff and state staff.

**DANIEL J. ALLEN III AND GEORGE S. ALLEN - ENVIRONMENTAL
ASSESSMENT**

General Comments

The Montana Department of Environmental Quality licenses and regulates motor vehicle wrecking facilities under the authority of the Motor Vehicle Recycling & Disposal Act (75-10-501, MCA) and Administrative Rules of Montana (ARM 17.50.201).

To be eligible for licensing, a proposed wrecking facility must:

- 1) Be in compliance with all existing zoning ordinances on the date the license application is submitted to the department.
- 2) Be capable of being shielded from view of any existing public road. If the license application is approved, the applicant must construct all necessary shielding prior to the commencement of operations at the facility.
- 3) Not create any adverse environmental impacts.

The department has made the preliminary determination that the applicant is in compliance with the existing zoning ordinances as of the date of the submittal of the application and can effectively shield the proposed facility from all public roads in the area. The purpose of the Environmental Assessment is to determine if the proposed motor vehicle wrecking facility can be established without posing significant adverse environmental impacts. This site is presently used for an automotive repair business and a towing business.

Potential Impacts on Physical Environment

1. Terrestrial & aquatic life habitats
4. Vegetation cover, quantity and quality

The proposed motor vehicle wrecking facility will be in Yellowstone County. This facility will be located at 43 Orchard Lane, Billings, MT. The legal description of the facility is N126' of S192' LT 4 In NE Section 9, Township 1 South, Range 26 East. The facility is approximately 1.91 acres in size.

Other commercial parcels surround this wrecking facility. Most of the surrounding area would serve as habitat for birds, small mammals.

The establishment of a motor vehicle wrecking facility should not disturb and displace any of the vegetation and wildlife habitat within the proposed location, because this area has been used as a automotive repair and towing business. The impacts caused by the wrecking facility should not be significant to the area's ecosystem.

2. Water quality, quantity, and distribution

There are 80 wells in section 9, Township 1 South, Range 26 East. The proposed Allen wrecking facility is located in this section, township and range. The static water level in these wells range from 5 feet to 30 feet. The area where the proposed wrecking facility is located contains a couple of wells that have a total depth of 19 feet. This information was obtained from the Ground Water Information Center.

All fluids removed from the vehicles must be captured over an impermeable surface, properly containerized, and properly stored for reuse, recycling, or proper disposal. The applicant is proposing to place automotive fluids in separate containers and will recycle those fluids on a timely basis.

This proposal is reasonably expected to not have any impacts on the quality, quantity, and distribution of the ground water with the above management practices in place.

3. Geology and soil quality, stability, and moisture

The soils in the vicinity of the site are classified by the U.S. Natural Resource Conservation Service as Keiser series. The Keiser series consists of deep, well-drained, level to sloping soils on broad stream terraces and uplands along the valleys of major rivers. These soils formed in mixed silty alluvium deposited by water and wind. The native vegetation is needle-and-tread, western wheat grass, blue grama, winterfat, and sagebrush. Elevation ranges from 3000 to 3600 feet. The annual precipitation is 12 to 14 inches, the mean annual temperature is 45 to 47 degrees F., and the frost-free season is about 125 days.

Waste anti-freeze, gasoline, and lubricating oils contain petroleum distillates, heavy metals, and possibly toxic compounds. If improperly disposed of, these fluids can cause surface and groundwater degradation. The applicant proposes to properly recycle all of the above-named automotive fluids. Some residual lubricating oils and anti-freeze may drip from the vehicles stored at the facility. This residual dripping is not expected to cause any surface or groundwater degradation.

5. Aesthetics

The applicant proposes to use chain link fence with slats and fabric on the north and east sides of the facility. A solid metal fence shields the south side of the facility. The west side of the facility will not require any shielding. An onsite evaluation by department personnel determined that the shielding would be adequate to meet the requirements of the Motor Vehicle Recycling & Disposal Act.

"Public view" is defined as any point six (6) feet above the surface of the center of a public road from which the junk vehicles can be seen.

9. Historical and archaeological sites

The State Historic Preservation Office conducted a cultural resource file search for this property. Based on the State Historic Preservation Office file search, "We feel that because there will be no modification of buildings and no new ground disturbance that there is a low likelihood that cultural properties will be impacted. We, therefore, feel that a recommendation for a cultural resource inventory is unwarranted at this time. However, should cultural materials be inadvertently discovered during this project we would ask that our office be contacted and the site investigated."

Potential Impacts on Human Environment

3. Local & state tax base & tax revenue

7. Quantity and distribution of employment

The establishment of the proposed motor vehicle wrecking facility may provide a source of used motor vehicles or component parts for sale to the public. The issuance of a motor vehicle wrecking facility license will allow the applicant to: (1) Buy, sell, or deal in four or more vehicles per year of a type required to be licensed for the purpose of wrecking, dismantling, disassembling, or substantially altering the form of the motor vehicle, (2) Buy or sell component parts, in whole or in part, and deal in second-hand motor vehicle parts, and (3) Purchase wrecked vehicles from insurance companies. Insurance companies are required by state law to sell junk vehicles only to licensed motor vehicle wrecking yards.

The establishment of a motor vehicle wrecking facility may create an additional labor requirement and may result in additional employment. This employment and the employment requirements for the support services of this yard may provide a neutral to positive employment impact for the community.

9. Demands for governmental services

The issuance of a motor vehicle wrecking facility license will require administrative and inspection services of the Montana Department of Environmental Quality and the Yellowstone County Junk Vehicle Program personnel.

11. Locally adopted environmental plans and goals

The establishment of a motor vehicle wrecking facility at this location does not conflict with any existing zoning ordinances as certified by Nicole M. Cromwell AICP, Planner I, Yellowstone County, Billings, MT.

Effect on Adjoining Landowners and Land Uses
Other Site-Specific Information

Information gathered for the preparation of this Environmental Assessment reveals that directly adjacent to the proposed location are tracts of land similar in size and commercial use. The management practices of proper waste disposal and shielding the junk vehicles from public view will minimize any impacts to adjoining landowners and land uses.

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